

# EXHIBIT D

1 UNITED STATES BANKRUPTCY COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X  
4 SECURITIES INVESTOR PROTECTION :  
CORPORATION, :  
5 Plaintiff-Applicant, :  
6 -vs- : 08-01789 (SMB)  
7 BERNARD L. MADOFF INVESTMENT :  
SECURITIES, LLC, :  
8 Defendant. :  
9 -----X

10 In re: :  
11 BERNARD L. MADOFF, :  
12 Debtor. :  
13 -----X

14 \*\*\* CONFIDENTIAL \*\*\*  
15 DEPOSITION OF BERNARD L. MADOFF

16 (Taken by the Customers)

17 Butner, North Carolina

18 June 15, 2016

19  
20  
21  
22  
23  
24 Reported by: Lisa A. DeGroat, RPR  
25 Notary Public

1 marked as Madoff Exhibit 1.

2 Thank you.

3 (MADOFF EXHIBIT 2 WAS MARKED FOR  
4 IDENTIFICATION.)

5 BY MS. CHAITMAN:

6 Q. Okay. Mr. Madoff, I'd like to show you  
7 what I've marked as Madoff Exhibit 2. Is that your  
8 signature on page three?

9 A. Yes.

10 Q. And do you recall signing this Declaration?

11 A. Yes.

12 Q. Now, if you'd just look at paragraph two.  
13 I just want to read this into the record.

14 It says, "In the investment advisory  
15 business stockbrokers do not send checks to  
16 customers unless they specifically request a  
17 withdrawal. In fact, I cannot recall a single  
18 instance in my career where I sent a check to a  
19 customer that did not request it."

20 "Sometimes the requests would be for a  
21 quarterly payment of a fixed amount, like \$25,000.  
22 Sometimes I would receive a request for a large  
23 withdrawal, such as \$250,000, but I cannot ever  
24 recall sending a check to a customer who did not ask  
25 for a withdrawal."

1 A. Yes.

2 Q. And then do you remember I sent you a clean  
3 copy with the crossed-out material deleted?

4 A. Okay.

5 MS. BROWN: Objection.

6 BY MS. CHAITMAN:

7 Q. You remember that?

8 A. I must have, because I wouldn't have signed  
9 something that wasn't in its complete form.

10 Q. Okay. And, in fact, you had signed the  
11 Declaration, but crossed out a paragraph --

12 A. Yes.

13 Q. -- and sent it to me?

14 A. Yes.

15 Q. And then didn't I resend it to you,  
16 unsigned, with that crossed-out paragraph  
17 eliminated?

18 MS. BROWN: Objection.

19 THE WITNESS: I would assume so.

20 BY MS. CHAITMAN:

21 Q. Okay. Because you -- there's no question  
22 that you signed the document --

23 A. Yes.

24 Q. -- we've marked as Exhibit 2?

25 And it was in this form when you signed it;

1 right?

2 MS. BROWN: Objection.

3 THE WITNESS: Excuse me. I must have,  
4 but I -- I tell you, I don't remember. My mind  
5 is not as clear as it should be.

6 BY MS. CHAITMAN:

7 Q. Okay. Looking at Exhibit 14, and if you  
8 want, I can just hold it up to you. I'm looking at  
9 the second page, which ends in Bates number 54126.

10 Do you see on this form -- this is for  
11 Aaron Blecker. Do you see on this form, it has S's  
12 for profits and dividends and interest, and then  
13 it's crossed out?

14 A. Okay. Yes.

15 Q. Do you know who would have crossed this  
16 out?

17 A. No. I would assume it had to be someone in  
18 the operations department.

19 Q. Okay. And was there anyone who would check  
20 the work of someone in the operations department to  
21 make sure they didn't make a mistake?

22 A. Yes. Probably Annette Bongiorno.

23 Q. Okay. So she would do it?

24 A. Uh-huh.

25 Q. Okay. And if you wanted to know what the